

## IDAPA 12 – IDAHO DEPARTMENT OF FINANCE

### Consumer Finance Bureau

#### 12.01.09 – Rules Pursuant to the Idaho Credit Code

##### **Who does this rule apply to?**

*This rule applies to persons engaging in regulated consumer credit transactions in Idaho.*

##### **What is the purpose of this rule?**

*This rule provides a definition of the federal Consumer Credit Protection Act, and its implementing regulations, incorporated by reference within the Idaho Credit Code.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Commercial Transaction -

General Provisions and Definitions, Part 3 - Definitions:

- [Section 28-41-302, Idaho Code](#) – Federal Consumer Credit Protection Act

Administration, Part 1 - Powers and Functions of Administrator:

- [Section 28-46-104, Idaho Code](#) – Powers of Administrator – Reliance on rules – Duty to Report

##### **Who do I contact for more information on this rule?**

Idaho Department of Finance  
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Fax: (208) 332-8096

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## 12.01.09 – RULES PURSUANT TO THE IDAHO CREDIT CODE

### 000. LEGAL AUTHORITY.

This chapter is promulgated pursuant to Section 28-46-104, Idaho Code.

(3-20-20)

### 001. TITLE AND SCOPE.

The title of this chapter is the Idaho Credit Code Rules of the Idaho Department of Finance; and may be cited as IDAPA 12.01.09, “Rules Pursuant to the Idaho Credit Code.” These rules implement statutory intent with respect to the regulation of credit transactions in the state of Idaho in accordance with the provisions of chapters 41 through 49 of title 28, Idaho Code.

(7-1-93)

### 002. -- 004. (RESERVED)

### 005. INCORPORATION BY REFERENCE.

For the purpose of the Act and the “Rules Pursuant to the Idaho Credit Code,” the full text of the federal Consumer Credit Protection Act, 15 U.S.C., Chapter 41, et seq., and regulations issued pursuant to that act, are incorporated by reference as follows:

(3-20-20)

**01. The Truth in Lending Act.** Consumer Credit Cost Disclosure Act or “The Truth in Lending Act.” As set forth in 15 U.S.C. 1601, et seq., as amended to and including January 1, 2020. The Truth in Lending Act is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title15/html/USCODE-2016-title15-chap41-subchapI.htm>.

(3-20-20)

**02. Regulation Z.** As issued by the federal Bureau of Consumer Financial Protection and codified at 12 CFR 1026, et seq., as amended to and including January 1, 2020. Regulation Z is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/CFR-2018-title12-vol9/xml/CFR-2018-title12-vol9-part1026.xml>.

(3-20-20)

**03. Restrictions on Garnishment Act.** As set forth in 15 U.S.C. 1671, et seq., as amended to and including January 1, 2020. The Restrictions on Garnishment Act is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title15/html/USCODE-2016-title15-chap41-subchapII.htm>.

(3-20-20)

**04. Credit Repair Organizations Act.** As set forth in 15 U.S.C. 1679, et seq., as amended to and including January 1, 2020. The Credit Repair Organizations Act is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title15/html/USCODE-2016-title15-chap41-subchapII-A.htm>.

(3-20-20)

**05. Credit Reporting Agencies Act or “Fair Credit Reporting Act.”** As set forth in 15 U.S.C. 1681, et seq., as amended to and including January 1, 2020. The Fair Credit Reporting Act is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title15/html/USCODE-2016-title15-chap41-subchapIII.htm>.

(3-20-20)

**06. Regulation V.** As set forth in 12 CFR 1022, et seq., as amended to and including January 1, 2020. Regulation V is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/CFR-2018-title12-vol8/xml/CFR-2018-title12-vol8-part1022.xml>.

(3-20-20)

**07. Equal Credit Opportunity Act.** As set forth in 15 U.S.C. 1691, et seq., as amended to and including January 1, 2020. The Equal Credit Opportunity Act is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title15/html/USCODE-2016-title15-chap41-subchapIV.htm>.

(3-20-20)

**08. Regulation B.** As set forth in 12 CFR 1002, et seq., as amended to and including January 1, 2020. Regulation B is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/CFR-2018-title12-vol8/xml/CFR-2018-title12-vol8-part1002.xml>.

(3-20-20)

**09. Debt Collection Practices Act or “Fair Debt Collection Practices Act.”** As set forth in 15 U.S.C. 1692, et seq., as amended to and including January 1, 2020. The Fair Debt Collection Practices Act is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title15/html/USCODE-2016-title15-chap41-subchapV.htm>.

(3-20-20)

**10. Electronic Funds Transfer Act.** As set forth in 15 U.S.C. 1693, et seq., as amended to and including January 1, 2020. The Electronic Funds Transfer Act is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/USCODE-2016-title15/html/USCODE-2016-title15-chap41-subchapVI.htm>.

(3-20-20)

**11. Regulation E.** As set forth in 12 CFR 1005, et seq., as amended to and including January 1, 2020. Regulation E is available for viewing online at: <https://www.gpo.gov/fdsys/pkg/CFR-2018-title12-vol8/xml/CFR-2018-title12-vol8-part1005.xml>.

(3-20-20)

**12. Availability of Documents.** Unless otherwise unavailable, the documents incorporated by reference may be viewed at the central office of the Idaho Department of Finance. (3-20-20)

**006. -- 999. (RESERVED)**

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